

5

**REMARKS**

Applicants have carefully reviewed the Office Action dated November 26, 2003. Claims 1-11 are pending in the Application. Applicants have amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Hudetz et al.* in view of *Call* (5,913,210) and *Kirsch et al.* This rejection is respectfully traversed with respect to the amended claims.

The Examiner has rejected the claims based upon the combination of these three references. The Examiner has utilized the *Hudetz* and *Call* references for the purpose of showing that information can be scanned, a message packet produced and then sent to another location. The *Kirsch* reference is utilized for the redirection aspect. Applicants believe that this combination does not obviate Applicants' present inventive concept and, further, that there is no motivation to combine such references.

The *Hudetz* reference is directed toward a system that provides for the scanning of a bar code associated with a product. This bar code has contained therein product information. This bar code, once scanned, is sent to another location and, at that location, information in the form of an HTML page is extracted and sent back to the user computer for action thereon. Therefore, the action is to scan the bar code and then retrieve information associated with the contents of that bar code. At the user's computer, the primary embodiment discloses display of the information and selection by the user such that a web site then can be selected from that information. There is also some information regarding "automatic" connection to a location. However, an HTML page still must be returned and, therefore, there must be some action at the user computer to actually connect to that site. As such, all information is controlled by the program at the user computer and the user computer "pulls" the information from the remote location for actions thereon at the user computer. Further, Applicants note that an automatic "jump" to a location could be provided, since there is little disclosure and the return of an HTML page requires further operations thereon. As noted in the previous response, if more than one URL is returned, there

**AMENDMENT AND RESPONSE**

S/N 09/382,371

Atty. Dkt. No. PHL-24,737

is no disclosure as to how to handle such a situation and the disclosure discusses primarily multiple URLs being returned.

The *Call* reference is similar to the *Hudetz* reference in that a user computer is allowed access to a database of information such that a product code can be sent thereto and a product translator returns the information to the user computer. This information is then used by the user to view certain information that may be returned in association therewith associated with a particular product, connect to a web site associated therewith, etc. In general, Applicants believe that the product code translator merely generates a customized web page for transmission back to the user, wherein the user then decides what to do with that information. As such, both *Call* and *Hudetz* are directed toward a system for utilizing a product code for the purpose of retrieving information for reviewing by the user or by the user's computer, which actions are then taken by the user or the user's computer. There is no disclosure in *Call* or *Hudetz* that is directed toward the concept of allowing any control over the operation of connecting the user to a particular web site associated with the product code (which association is provided in Applicants' inventive concept at the intermediate node) such that an automatic jump is provided.

Applicants' present inventive concept, as defined by the amended claims, is structured for the concept of allowing a user to scan a bar code or input unique information to a computer, which unique information, such as a bar code, does not contain any routing information. The information in the unique code is devoid of such routing information. That must be provided elsewhere. The mere act of scanning the information will automatically provide to the user information regarding that product code as defined at the intermediate node and the connection to the information controlled by the intermediate node. However, there is nothing that the user needs to do or the user's computer needs to do to make this connection; rather, all of the control for the entire operation is provided by the intermediate node in Applicants' present invention.

This control aspect by the remote node is what is missing in *Call* and *Hudetz*. The Examiner has utilized the *Kirsch* reference to provide such disclosure. However, Applicants note that there must be

**AMENDMENT AND RESPONSE**

S/N 09/382,371

Atty. Dkt. No. PHL-Y-24,737

some motivation shown to combine the teachings of one reference (even if applicable) in combination with the other references. The *Call* and *Hudetz* references both teach the concept of pulling information from a location associated with a product code for use at the user computer. This is an action taken by the user computer and, as such, there is no suggestion that it would be desirable not to view the information or even to allow the intermediate node to control where the user computer was redirected. Thus, if the *Kirsch* reference were a mere redirecting reference, Applicants contend that both *Call* and *Hudetz* would teach against allowing redirection to be controlled by a remote server. However, the *Kirsch* reference is a reference that is directed toward the concept of tracking web activity. This is associated with advertisements and advertising activity on a particular web site. The operation would be that the user first requests the primary web page and then views the contents thereof. If the user desires to connect to a particular manufacturer or advertiser displayed on the web page, they would "click" on a particular location that is associated with a hyperlink. This hyperlink is set up such that the user will first be transferred back to the server that sent the original web page and then be redirected by that server to the URL associated with the user selected advertisement. However, it is noted that the client computer or user computer is directed to a "resource locator that is independently selected by a client computer system and that references an external web server." Col. 5, lines 28-30. Further, at Col. 7, line 23, it can be seen that the actual information contained in the hyperlink is associated with the end resource. As such, routing information is contained within the message packet that would be transmitted back to the intermediate location. As such, the control is that associated with the original web page and not by the intermediate node when the message packet is transmitted thereto and in response to receiving that message packet. There is no look-up operation that is required in any form of database, since all the information is embedded within the web page. All this reference teaches is the logging of such redirects. Further, the user will be directed to the advertiser that they select and there is no concept of providing a product code or a unique code that has no routing information associated therewith. As such, Applicants believe that the *Kirsch* reference is not analogous art and does not teach nor suggest that it would be desirable to enter a product code that has no information therein for transmission back to the intermediate node such that the intermediate node would then control redirection of the user computer to another web site. Clearly, the association in *Kirsch* is made as a fixed part of a web page and there is actually no ability to provide any control that was not already existing. With Applicants' present

**AMENDMENT AND RESPONSE**

S/N 09/382,371

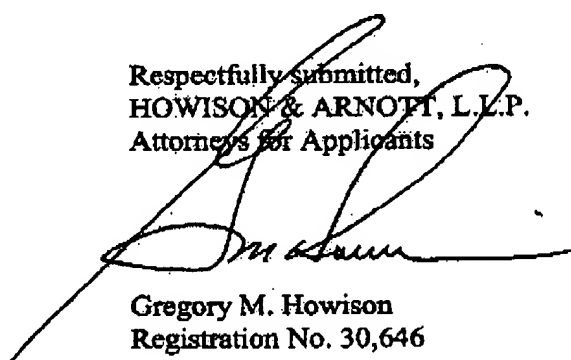
Atty. Dkt. No. PHL-24,737

8

inventive concept, it is possible that the owner of the database at the intermediate node can actually change the redirections. In this system, *Kirsch*, there is no motivation to do such, as all that is taught is logging. As such, Applicants believe that the combination of *Hudetz*, *Call* and *Kirsch* does not anticipate or obviate Applicants' present inventive concept and, further, Applicants believe that there is no motivation or suggestion to combine the teachings of *Kirsch* with those of *Call* and *Hudetz*. Therefore, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 1-11.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,737 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.  
Attorneys for Applicants



Gregory M. Howison  
Registration No. 30,646

GMH/yoc

P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-479-0462  
Fax: 972-479-0464  
February 26, 2004

AMENDMENT AND RESPONSE  
S/N 09/382,371  
Atty. Dkt. No. PHLY-24,737